

REMARKS

Claims 1-43 are pending and under consideration. Claims 44-54 are being canceled as a result of the restriction requirements in the Office Action mailed April 22, 2005.

Double Patenting Rejections:

Claims 1-43 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-48 of "co-pending" Application No. 10/656,578.

Claims 1-43 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-48 of "co-pending" Application No. 10/643,257.

Claims 1-43 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-39 of co-pending Application No. 10/947,041.

Applicants are submitting a Terminal Disclaimer disclaiming the terminal part of the statutory term of any patent granted on pending U.S. Patent Application No. 10/947,041.

Applicants submit that Application Nos. 10/656,578 and 10/643,257 have been abandoned and are no longer co-pending with the present application. Therefore, reconsideration of the double patenting rejections over Application Nos. 10/656,578 and 10/643,257 is respectfully requested.

Conclusion

Based on the foregoing, Applicants submit that Claims 1-43 are in condition for allowance. An early indication of the same is therefore respectfully requested. If any matters can be resolved by telephone, the Examiner is invited to call the undersigned attorney at the telephone number listed below. No fees beyond those being submitted concurrently herewith are believed due. However, the commissioner is authorized to charge any additional required fees, or credit any overpayment, to Dorsey & Whitney LLP Deposit Account No. 50-2319 (Order No. A-72056/MSS/TJH (477077-92)).

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Respectfully submitted,
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